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Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/603,124  
Filed: June 23, 2000  
Entitled: *Corynebacterium Glutamicum Genes Encoding  
Proteins Involved In Homeostasis And Adaptation*  
Inventors: Markus Pompejus, et al.  
Our Reference No. BGI-132CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge); and
5. Acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

10/10/00  
Date

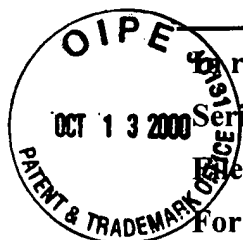
Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley, Esq.  
Reg. No. 33,505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re the application of: Markus Pompejus, *et al.*

Group Art Unit: 1646

Examiner:

Serial No.: 09/603,124

Filed: June 23, 2000

For: "Corynebacterium Glutamicum Genes Encoding  
Proteins Involved In Homeostasis And Adaptation"

Attorney Docket No.: BGI-132CP


Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

10/10/00  
Date of Signature and of Mail Deposit

By:

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Dear Sir:

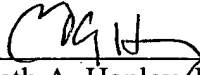
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 21, 2000, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of **\$2,772.00** is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3. The Formalities Letter also omits the \$270.00 multiple dependent claim charge.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
Elizabeth A. Hanley Esq.  
Registration No. 33,505  
Attorney for Applicants

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28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: 6/23/00

## FORMALITIES LETTER



\*OC000000005336971\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/603,124         | 06/23/2000          | Markus Pompejus       | BGI-132CP              |

959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

Date Mailed: 08/21/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1620.
  - \$684 for 38 total claims over 20.
  - \$936 for 12 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2440.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

|           |        |    |
|-----------|--------|----|
| 01 FC:101 | 710.   | OP |
| 02 FC:105 | 130.00 | OP |
| 03 FC:102 | 960.   | OP |
| 04 FC:103 | 702.00 | OP |
| 05 FC:104 | 270.00 | OP |